

# **TOWN OF DAVIE**

## **TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101  
Prepared by: Christopher M. Gratz, Planner II

**SUBJECT:** Delegation Request, DG 2-2-04 Main Street Plat a.k.a. Davie Square Shopping Center/5501 South University Drive/Generally located 1,300' north of Stirling Road on the west side of South University Drive

**AFFECTED DISTRICT:** District 2

**TITLE OF AGENDA ITEM:** A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS THE MAIN STREET PLAT; AND PROVIDING AN EFFECTIVE DATE.

**REPORT IN BRIEF:** The applicant requests approval of the resolution to authorize the change in the restrictive note on the Main Street Plat **FROM:** "This plat is restricted to 114,484 square feet of commercial use and 31,628 square feet of office use"; **TO:** "This plat is restricted to 118,000 square feet of commercial use, 20,800 square feet of office use, and 5,200 square feet of bank use."

This is the applicant's fourth attempt to resolve the traffic concurrency issues for this plat with Broward County. Upon evaluation of the previous requests, the applicant could not satisfy traffic concurrency because the traffic generated by the proposed uses could not be accommodated by the regional roadway network. This proposed amendment accurately represents both the uses and square footage of the center as built. Additionally, this restrictive note will allow office and bank use to be expanded in the future. Staff has no objection to the proposed plat note.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:** None

**FISCAL IMPACT:** None

**RECOMMENDATION(S):** Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

**Attachment(s):** Resolution, Planning Report, Justification, Plat, Future Land Use Plan Map, Zoning and Aerial Map

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS THE MAIN STREET PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the plat known as the Main Street Plat was approved by the Town Council of the Town of Davie on May 1, 1985; and

WHEREAS, Main Street Plat was recorded in the public records of Broward County in Plat Book 128, Page 44; and

WHEREAS, the owners desire to revise the restrictive note associated with said plat; and,

WHEREAS, Broward County requires that the Town of Davie concur with this revision prior to a review of the proposed by Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The Town Council of the Town of Davie does hereby approve the delegation request to change the restrictive note on the Main Street Plat. The proposed revision being specifically described on the planning report attached hereto as Exhibit "A".

SECTION 2. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

Attest:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2004.

---

**TOWN OF DAVIE**  
**Development Services Department**  
**Planning and Zoning Division Staff**  
**Report and Recommendation**

---

**Applicant Information**

<b><u>Owner:</u></b>		<b><u>Agent:</u></b>	
<b>Name:</b>	G.P. Davie, Inc.	<b>Name:</b>	John D. Voigt, Esquire
<b>Address:</b>	1645 SE 3 Court, Suite 200	<b>Address:</b>	1177 SE 3 Avenue
<b>City:</b>	Deerfield Beach, FL 33441	<b>City:</b>	Fort Lauderdale, FL 33316
<b>Phone:</b>	(954) 420-1001	<b>Phone:</b>	(954) 762-3400

---

**Background Information**

**Application History:** No deferrals have been requested.

**Application Request:** Approval of the resolution to authorize the change in the restrictive note on the Main Street Plat **FROM:** "This plat is restricted to 114,484 square feet of commercial use and 31,628 square feet of office use"; **TO:** "This plat is restricted to 118,000 square feet of commercial use, 20,800 square feet of office use, and 5,200 square feet of bank use."

**Address/Location:** 5501 South University Drive/Generally located 1,300' north of Stirling Road on the west side of South University Drive.

**Future Land Use Plan Designation:** Commercial

**Zoning:** B-2, Community Business District

**Existing/Proposed Use:** Shopping Center

**Parcel Size:** 16.254 acres (668,414 square feet)

	<b><u>Surrounding Uses:</u></b>
<b>North:</b>	University Dodge
<b>South:</b>	Home Depot
<b>East:</b>	Vacant
<b>West:</b>	Vacant

<b><u>Surrounding Future Land Use Plan Map Designation:</u></b>
Commercial
Commercial
Commercial
Commercial

**Surrounding Zoning:**

**North:** B-3, Planned Business Center District  
**South:** B-2, Community Business District  
**East:** CC, Commerce Center District  
**West:** B-1, Neighborhood Business District

---

**Zoning History**

**Previous Requests on same property:** The plat, P 3-4-85 Main Street Plat was approved on May 1, 1985, and was subsequently recorded in Plat Book 128, Page 44 in the official records of Broward County.

The delegation request, DG 8-1-00 Main Street Plat, to amend the plat note restriction from “114,484 square feet of commercial use and 31,628 square feet of office use” to “138,484 square feet of commercial use and 31,628 square feet of office use” was approved by Town Council on September 20, 2000, but subsequently was not approved by Broward County.

The site plan, SP 2-3-00 Davie Square Shopping Center, was approved on November 15, 2000.

The delegation request, DG 5-1-01 Main Street Plat, to amend the ingress/egress easement, was approved on June 20, 2001.

The delegation request, DG 3-2-03 Main Street Plat, to amend the plat note restriction from “114,484 square feet of commercial use and 31,628 square feet of office use” to “135,000 square feet of commercial use and 5,000 square feet of bank use” was approved by Town Council on April 15, 2003, but subsequently was not approved by Broward County.

The delegation request, DG 2-2-04 Main Street Plat, to amend the plat note restriction from “This plat is restricted to 114,484 square feet of commercial use, 31,628 square feet of office use” to “This plat is restricted to 120,000 square feet of commercial use, 10,000 square feet of office use, and 6,300 square feet of bank use” was approved by Town Council on January 7, 2004, but subsequently was not approved by Broward County.

---

**Comprehensive Plan Considerations**

**Planning Area:** The subject property falls within Planning Area 10. This Planning Area is generally located north of Stirling Road, south of Griffin Road, east of Pine Island Road, and west of SW 76 Avenue. Pine Island Road, a major north/south arterial, on the western limits of this planning area provides through access from Griffin Road to Stirling Road. Commercial development of retail centers and office buildings line the University Drive corridor. The east side of this corridor is predominantly small-scale commercial development, with multi-family residential development (one existing, one proposed) and plant nurseries on the northern half of the corridor, and commerce park development and cattle grazing on commerce park-zoned lands on the southern half. Commercial development also exists along Griffin Road within this planning area. Several small-scale single-family residential communities, two trailer parks totaling approximately 30 acres in area, and an 8 acre industrial park are located within this

planning area, together with six parcels zoned for community facilities uses. These include, but are not limited to, a regional library, multiple church uses varying scales, a girl scout campground facility, and a private school.

**Broward County Land Use Plan:** The subject site falls within Flexibility Zone 102. The Broward County Land Development Code requires that any changes or waivers to requirements of development permit applications be reviewed and approved or disapproved by the municipality with final approval by Broward County Commission.

**Applicable Goals, Objectives & Policies:** *Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-3:* Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

---

### **Staff Analysis/Findings of Fact**

This is the applicant's fourth attempt to resolve the traffic concurrency issues for this plat with Broward County. Upon evaluation of the previous requests, the applicant could not satisfy traffic concurrency because the traffic generated by the proposed uses could not be accommodated by the regional roadway network. This proposed amendment accurately represents both the uses and square footage of the center as built. Additionally, this restrictive note will allow office and bank use to be expanded in the future. Staff has no objection to the proposed plat note.

---

### **Staff Recommendation**

Staff finds the subject application complete and suitable for transmittal to the Town Council for further consideration.

---

### **Exhibits**

1. Justification
2. Plat
3. Future Land Use Plan Map
4. Zoning and Aerial Map

Prepared by: \_\_\_\_\_

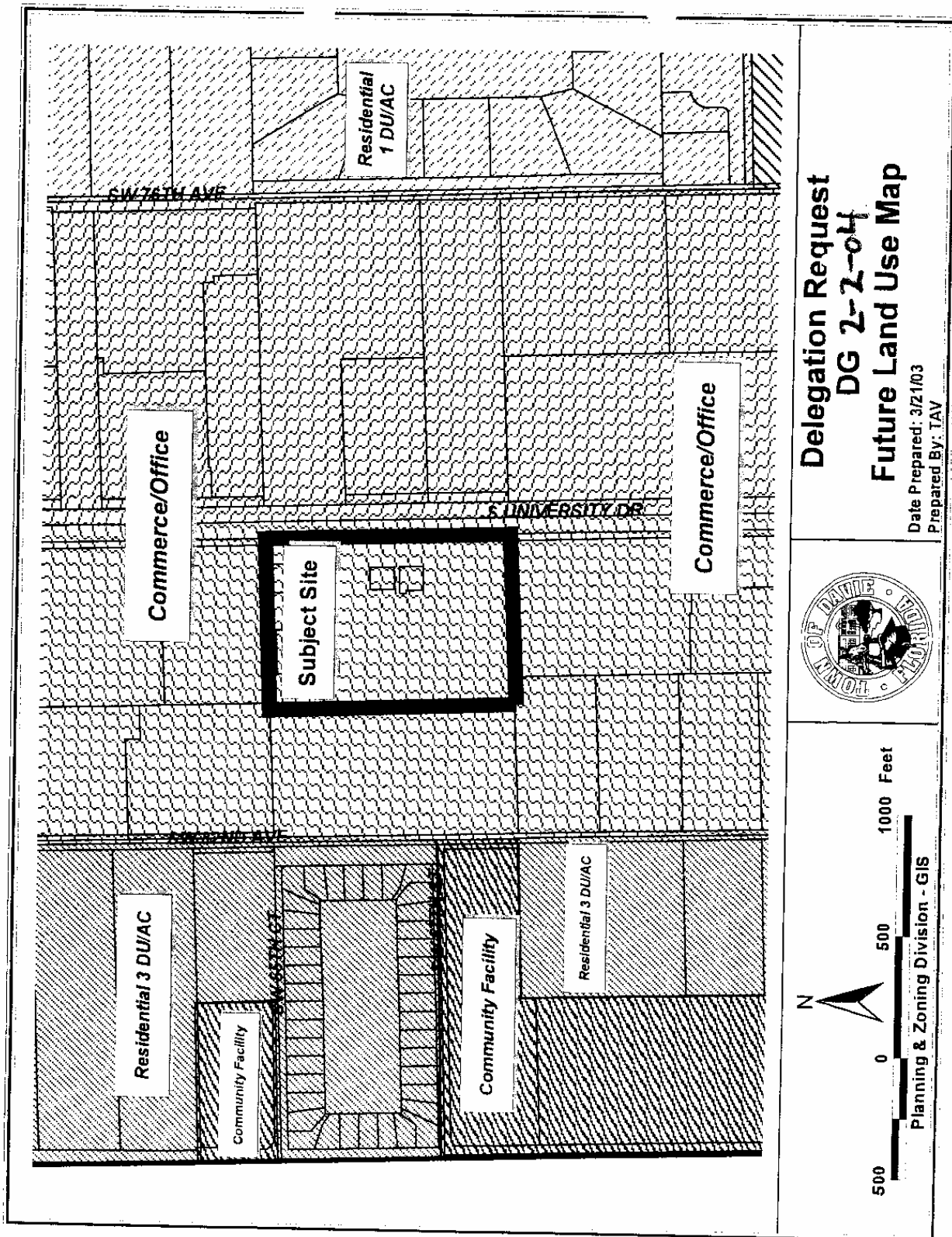
Reviewed by: \_\_\_\_\_

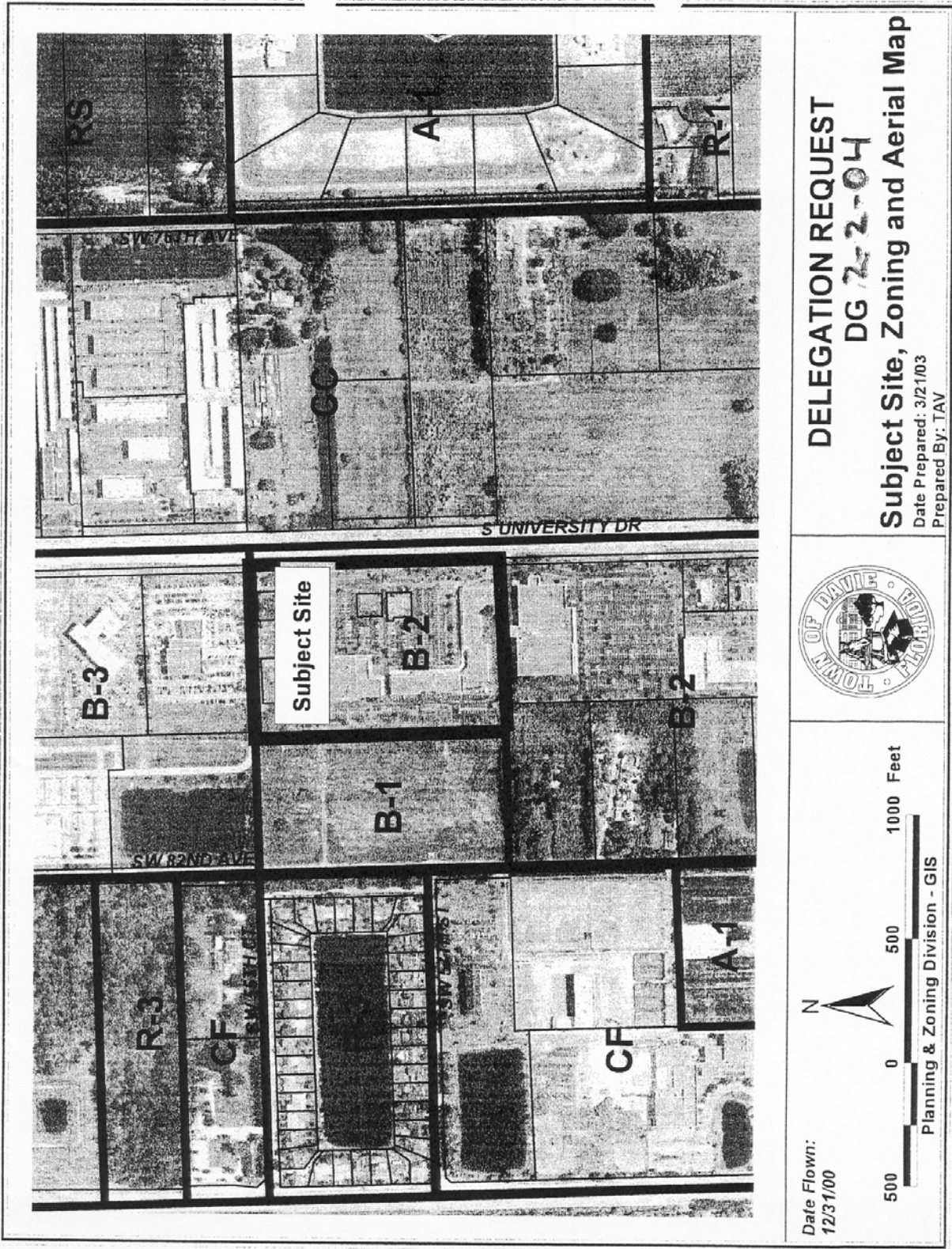
TOWN OF DAVIE DELEGATION REQUEST  
MAIN STREET PLAT  
JUSTIFICATION STATEMENT

On January 7, 2004 the Town Council approved a Delegation Request on the Main Street Plat to change the restrictive note on the plat to increase the commercial square footage from 114,484 to 120,000 and to decrease the office square footage from 31,628 to 10,000. In addition this request added 6,300 square feet of bank use. Subsequently in addressing traffic concurrency issues with Broward County, it has been determined that this request must be amended to decrease the commercial square footage by 2,000 square feet and to decrease the bank square footage by 1,100 square feet. This allows the applicant to add back 10,800 square feet office use, which generates considerably fewer vehicle trips.

As a result, the applicant now seeks to modify the original note to increase commercial use from 114,484 square feet to 118,000 square feet. The applicant also seeks to reduce office square feet from 31,628 to 20,800 square feet. Finally, the applicant is adding 5,200 square feet of bank use to the original note, but deleting the 6,300 square feet of bank use previously added. A copy of Town of Davie Resolution of January 7, 2004 and Staff Report is attached hereto.







\* \* \* \* \*

THIS PAGE  
INTENTIONALLY  
LEFT BLANK

\* \* \* \* \*